

REMARKS

This application claims priority from JP2003-023986 and JP2003-044574 and certified copies were filed with the application. It is requested that the Examiner acknowledge same.

The Examiner has objected to claim 1 and required the insertion of a comma. The claim has been amended as the Examiner has requested.

Claim 3 has been amended to correct a typographical error in the claim as originally filed.

The Examiner has rejected claims 1-4 and 6-7 as being unpatentable over Oei et al. in view of Chung.

Oei et al. shows an infra-red sensor that includes a housing for multiple photo-diodes. The housing includes various focusing and shielding characteristics to improve performance of the sensor. The diodes are connected in common to a pre-amplifier (e.g., see, Fig. 1b). It is stated that the sensor could be used in a set of wireless headphones, but no teaching of wireless headphones is provided.

Chung shows an infra-red sensor that includes an array of angle-dependent photo-sensors. The output of a photo-sensor is disregarded if it "does not meet the predetermined criteria for pulse width and pulse frequency." Col 6, lines 57-62.

The present invention includes a wireless headphone apparatus. Oei et al. and Chung cannot be combined to form the present invention, they are merely infra-red sensors. There are, for example, no teaching of speaker means for outputting a sound in either of the patents.

In addition, as noted by the Examiner, Oei et al. has no light signal limiting units operative to allow only an electric signal having a signal level lower than a predetermined

threshold. However, neither does Chung. As stated above, Chung has a system that removes a photo-sensor signal that "does not meet the predetermined criteria for pulse width and pulse frequency." There is no teaching, suggestion or motivation to use light signal limiting units operative to allow only an electric signal having a signal level lower than a predetermined threshold.

In particular reference to claim 6, Oei et al. and Chung have no teaching, suggestion or motivation of the claimed geometric relationship between the components of the apparatus.

It is respectfully submitted that claims 1-4 and 6-7 are patentable over Oei et al. in view of Chung.

The Examiner has rejected claims 8 and 9 as being unpatentable over Oei et al. in view of Chung and in further view of Yamanaka et al.

In addition to applying Oei et al. and Chung as discussed above, the Examiner cites Yamanaka et al. as providing a light signal emitting apparatus in a vehicle that is received by light signal receiving units.

Yamanaka et al. is an illumination system for the interior of a vehicle to allow an occupant to see items such as switches and gauges, no different than the sun shining in the window. The present invention is not an illumination system, but instead a wireless headphone system.

In addition to all of the issues discussed above with respect to claims 1-4 and 6-7, the illumination system of Yamanaka et al. cannot be added to Oei et al. and Chung to make a wireless headphone system.

It is respectfully submitted that claims 8 and 9 are patentable over Oei et al. in view of Chung and in further view

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of Yamanaka et al.

The Examiner has rejected claim 5 as being unpatentable over Oei et al. in view of Chung and in further view of Abe.

It is respectfully submitted that as claim 5 depends from claim 1 which was discussed above as being allowable over the cited references, claim 5 is also allowable.

In view of the forgoing amendments and remarks, it is respectfully submitted that the application is now in condition for allowance and notification of same is requested.

If any fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. 36394.

Respectfully submitted,

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